

CALIFORNIA COASTAL COMMISSION

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Planning and Locating New Development

➤ ***What should updated development standards include?***

Review the principal Coastal Act policies concerning Development at Sections 30244, 30250, 30252, 30253. These statutes can be found at:
<http://www.coastal.ca.gov/coa/act.pdf>

After a decade or more of development authorized under a certified LCP, it is likely your LCP needs comprehensive revision. Most importantly, the background data and provisions of your LCP that affect new development and growth should reflect current land use and public facilities constraints and growth projections. An update should reexamine and revise the designation of the kinds, location and intensity of land uses to: 1) ensure consistency with all Coastal Act policies; 2) reflect current limits to the available capacity of public works facilities (e.g. water, wastewater and roads); 3) reflect protection of priority uses under the Coastal Act; and, 4) ensure Highway One remains a 2 lane road in rural areas. An updated LCP should:

- ❑ Update the background data and analysis on current and projected population growth and the current and projected infrastructure capacity.
- ❑ Revise the pattern and intensity of planned development to ensure that development can be adequately served by existing public services (e.g. sewer, water and road or transit systems). Ensure that the LCP does not allow for more units than can be served by existing infrastructure capacity.
- ❑ Re-examine the land use patterns and revise the designations of the kinds, locations and intensity of land uses to ensure that priority land uses under the Coastal Act remain a priority and are provided for where public services are limited.
- ❑ Revise the kinds, locations and intensity of land uses to ensure protection of Highway One as a two lane road in rural areas.
- ❑ Ensure that all land has designated use or uses and associated intensities of development, including roads and their rights of way, other public lands, and other non-residential lands. While the intensity of residential land use is typically described by density (homes per acre), intensities for the non-residential land uses could be described, for example, by maximum land coverage, trip generation, floor area ratios, number of rooms, number of employees, or utility use.
- ❑ Update the inventory of archaeological and cultural resource areas and revise policies and standards to reflect new statutory requirements for Native American consultation (see below).

- ❑ Designate areas where divisions of land are to be limited or prohibited, and designate appropriate parcel sizes to concentrate development and to protect rural and agricultural areas. Update provisions for dedications or in-lieu fees for recreation and open space to accompany new development and to mitigate the cumulative impacts of development.

➤ ***Where can I read some examples of updated development policies?***

For examples of some updated LCP provisions for new development see the City of Malibu LUP policies pages of the LUP at <http://www.coastal.ca.gov/ventura/malibu-lup-final.pdf> and the City of Malibu Zoning Ordinance provisions at <http://www.coastal.ca.gov/ventura/malibu-lip-final.pdf>.

➤ ***What are some of the key issues to be addressed in updated development designations and policies?***

The following highlights some of the most important new information that should be considered in updating policies for locating and planning new development.

◆ **Concentration of Development**

While several jurisdictions have updated LCPs, many certified LCPs are out of date and have undergone project-driven piecemeal amendments. These dated LCPs no longer provide a current and accurate blueprint for managing development to protect coastal resources by concentrating development into areas able to accommodate it. As evidenced through many coastal appeals heard by the Commission, out-of-date LCPs may not address current constraints on development. Such LCPs may also not reflect new standards to facilitate concentrated development and incorporate “smart” growth tools such as urban/rural limit lines. For an example of an LCP amendment addressing urban-rural limit lines, see the Findings of the City of Watsonville LCP Amendment No. 1-99 for the Pajaro Valley Unified School District High School at <http://www.coastal.ca.gov/sc/lcpawat1-99-rf.pdf>

◆ **Second Units**

Since 2002 there have been new requirements in place concerning development of second units on single family residential lots. While changes to the government code changed procedures for coastal development permits for second units, it did not change development standards that apply in the coastal zone or the requirements of the Coastal Commission’s appeal authorities. Many local governments have adopted ordinances through LCP Amendments to address second units. Some of the more recent examples include:

- ❑ City of Santa Cruz at [Santa Cruz LCP Amendment No. STC-MAJ-2-03](#)

- ❑ County of Santa Barbara at <http://www.coastal.ca.gov/ventura/3-2005-W14b.pdf>
- ❑ City of Pismo Beach at <http://www.coastal.ca.gov/sc/W13a-5-2004.pdf>
- ❑ City of Redondo Beach at <http://www.coastal.ca.gov/lb/W8b-2-2004.pdf>

Other jurisdictions that have example ordinances include the counties of Santa Cruz and Ventura, the cities of San Diego, Carlsbad, Carpinteria and Port Hueneme.

◆ **Density Bonuses**

State law allows for density bonuses for some affordable housing projects. Your updated LCP could incorporate such provisions, but be careful not to supersede the protective policies of the Coastal Act. For example, if part of a site is ESHA, the density bonus may not be used as an override to build in the restricted area. See, for example, this Del Norte County LCP amendment at <http://documents.coastal.ca.gov/reports/2006/11/W7b-11-2006.pdf>.

◆ **Cultural Resources/New Consultation Requirements**

New measures were adopted in 2004 (Senate Bill 18) that amended sections of the Civil Code and Government Code to enact new intergovernmental consultation requirements with Native American tribes. The new provisions requires cities and counties to contact, and consult with, California Native American tribes prior to amending or adopting a general plan or specific plan, or designating land as open space.

For more information about these provisions to guide revisions to the LCP, see the guidelines of the Governor's Office of Planning and Research at <http://www.opr.ca.gov/SB182004.html>.